

1 M. Caleb Meyer, Esq.  
Nevada Bar No. 13379  
2 Renee M. Finch, Esq.  
Nevada Bar No. 13118  
3 Jaclyn Kliewer, Esq.  
Nevada Bar No. 14898  
4 MESSNER REEVES LLP  
5 8945 West Russell Road, Suite 300  
Las Vegas NV 89148  
6 Telephone: (702) 363-5100  
7 Facsimile: (702) 363-5101  
E-mail: [cmeyer@messner.com](mailto:cmeyer@messner.com)  
8 [rfinch@messner.com](mailto:rfinch@messner.com)  
9 [jkliewer@messner.com](mailto:jkliewer@messner.com)

*Attorneys for Defendant*

10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

12 BERTHA MORA, individually,

13 Plaintiff,

14 vs.

15 JOSEPH JOHN TOMASULO, individually;  
16 and DOES 1 through 10; and ROE  
ENTITIES 11 through 20, inclusive,

17 Defendants.  
18

Case No. 2:19-cv-01423-GMN-BNW

**STIPULATION AND ORDER TO  
EXTEND SETTLEMENT  
CONFERENCE**

19 COMES NOW Defendant JOSEPH JOHN TOMASULO ("Defendant"), by and through his  
20 counsel of record, M. Caleb Meyer, Esq., Renee M. Finch, Esq., and Jaclyn M. Kliewer, Esq., of  
21 Messner Reeves LLP, and Plaintiff BERTHA MORA, by and through her counsel of record, Lawrence  
22 M. Ruiz, Esq. of the Ruiz Law Firm, and hereby stipulate and request that this Court reschedule the  
23 settlement conference currently set for October 16, 2020 at 9:00 a.m.

24 This request is necessary as defense counsel's office inadvertently failed to accurately calendar  
25 the date of the settlement conference and deadline for submission of the Defendant's settlement  
26 statement. As such, Defendant's counsel has not been able to prepare Defendant nor his insurance  
27 carrier for the settlement conference, and cannot assure that an adjuster with full settlement authority  
28

will be available to participate in the settlement conference. The parties agree that this clerical error constitutes excusable neglect on Defendant's part. As such, the parties respectfully request that the settlement conference be rescheduled to a time when a representative of Defendant's insurance carrier with binding authority to settle this matter can participate in the settlement conference.

The parties have conferred regarding their respective availability and propose that the settlement conference be reset to December 4, 2020 or sometime thereafter.

No previous continuance of the settlement conference has been requested. This stipulation and request is entered into in good faith and not for purposes of delay.

APPROVED AS TO FORM AND CONTENT.

Dated this 15<sup>th</sup> day of October, 2020.

Dated this 15<sup>th</sup> day of October, 2020.

**MESSNER REEVES, LLP**

**RUIZ LAW FIRM**

By: /s/ Jaclyn M. Kliewer, Esq.

By: /s/ Lawrence M. Ruiz, Esq.

M. Caleb Meyer, Esq.

Lawrence M. Ruiz, Esq.

Nevada Bar No. 13379

Nevada Bar No. 11451

Renee M. Finch, Esq.

1055 Whitney Ranch Drive, Suite 110

Nevada Bar No. 13118

Henderson, NV 89014

Jaclyn M. Kliewer, Esq.

*Attorney for Plaintiff*

Nevada Bar. No. 14898

8945 West Russel Road, Suite 300

Las Vegas, Nevada 89148

*Attorney for Defendant*

The parties' stipulation is GRANTED.

IT IS ORDERED that the 10/16 settlement conference ("SC") is VACATED and CONTINUED to 12/4/2020 at 9:00 AM. The SC will take place via Zoom videoconference.

IT IS ORDERED that the 10/15 pre-SC status check is VACATED and CONTINUED to 12/3/2020 at 3:00 PM. The status check is for counsel and the court only. Counsel is to call 877-810-9415 five minutes before the status check and enter access code "2365998" when prompted.

IT IS ORDERED that SC statements are due on or before 11/25/2020 by 5:00 PM. Once the parties submit their SC statements, the Court's clerk will distribute a Zoom invitation. The parties are directed to review ECF No. 22 to learn the Court's requirements for the SC statements and for participation in the SC itself.

**IT IS SO ORDERED**

**DATED:** 2:53 pm, October 15, 2020

**BRENDA WEKSLER**

**UNITED STATES MAGISTRATE JUDGE**